

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
AT CINCINNATI
CIVIL CASE NO: 11-277-SAS-JGW**

KELVIN LOVETT

PLAINTIFF

V.

OFFICER STEVEN COLE, et al.

DEFENDANTS

MEMORANDUM ORDER

Pending now is a motion to compel filed by pro se plaintiff. Docs. 114. For the following reasons, the motion will be denied.

Plaintiff first asks the Court to compel defendants to provide use of force reports pertaining to other inmates. Plaintiff contends the other inmates' use of force reports will show that defendants routinely falsify incident reports. However, as defendants note, plaintiff has not adequately shown how the use of force reports pertaining to other inmates are directly relevant to this action. Among other things, plaintiff has not shown how the defendants in this case are directly involved in the situations which occasioned the reports pertaining to other inmates. In addition, use of force reports may contain confidential or security-sensitive information, including medical information and witness statements, which should not be disclosed to other inmates. Indeed, applicable Ohio prison regulations prevent inmates from obtaining information from the files of other inmates. *See* Doc. 117-4. Even though the other inmates have purportedly given plaintiff consent to obtain incident reports pertaining to them, the motion to compel will be denied.

Plaintiff also asks the Court to compel defendants to provide prison regulations, conduct

reports and Rules Infraction Board (“RIB”) records. Defendants’ response shows that they have provided the reports, regulations and RIB records pertaining to the incident which gave rise to this action. Plaintiff has failed to meet his burden to show that any additional materials are relevant, nor has plaintiff shown an entitlement to additional reports, rules, etc.

Plaintiff next asks for color copies of certain photographs. Defendants assert that only black and white photos exist and those photos have been provided to plaintiff. Plaintiff has not demonstrated an entitlement to non-existent color photographs. Similarly, plaintiff again requests a higher-quality, slowed-down version of a video of the incident giving rise to this action. Plaintiff’s protestations to the contrary notwithstanding, defendants contend that the only available video footage has been provided to plaintiff. Plaintiff has not shown that defendants have altered any relevant audio, video or photographic media. This aspect of the motion to compel will be denied.

In short, the Court agrees with defendants that plaintiff has been provided all the relevant materials to which he is entitled. The motion to compel will be denied.

For the foregoing reasons, it is **ORDERED**:

Plaintiff’s motion to compel [Doc. 114] is **denied**.

This the 19th day of March, 2012.

s/ J. Gregory Wehrman
J. Gregory Wehrman
United States Magistrate Judge